

ATLANTA TEACHER FILES PAY PLEA

Says Rail Discrimination Fight Not Over

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DISCOVER BODY OF MISSING PROFESSOR

M.B.C. Queen Receives S.I.A.C. Trophy



Miss Blondine Hill, '41 Morris Brown queen, is shown as she is receiving the beautiful SIAC championship trophy during the between-the-halves period of the M.B.C. Clark game Thanksgiving Day. The three-leg trophy, on which Morris Brown has two, is the gift of the Afro-American Life Insurance Company. J. L. Lewis, vice president of the company came from Jacksonville, Fla., to make the presentation. Pictured 1 to 4 are Miss Hill, Mr. Lewis, Miss Emmeline Mitchell, last year's queen and J. A. Batt's manager of the Atlanta branch of the Afro. —(S.N.S. Staff Photo.)

Architect's Suit Ends In Victory For School

Lower Court Told To Dismiss Complaint

WASHINGTON, D. C. —(S.N.S.)—The United States Court of Appeals for the District of Columbia, Tuesday reversed a decision of the lower court which had awarded Albert I. Cassell, architect, \$19,000 as compensation for services as agent of the Howard University Extension Plan, and remanded the case, ordering the lower court to dismiss the complaint, it was revealed by James M. Nabrit, Jr., secretary of the university.

The decision by the Court of Appeals climaxes a series of unsuccessful suits brought by Cassell against Howard University over a period of years. The court in a sweeping decision, ruled that the Statute of Limitations was a complete bar to any further litigation by Cassell against the university.

SUIT BEGUN IN 1936
The suit was filed against Howard University on June 4, 1936 when Cassell attempted to recover \$26,250 as compensation for services as agent of the university in supervising and managing the university extension plan for three and one-half years.

University officials denied any agreement to pay the sum to Cassell and alleged that the services rendered by him were embraced in and were a part of his duties as a salaried employee of the university. The university also pleaded the statute of limitations, which limits the time in which a suit may be brought for compensation, to a period not exceeding three years.

WINS VERDICT
On trial, in the court below, a jury rendered a verdict in favor of Cassell and awarded him \$19,000.50 as damages. University officials immediately appealed the case, which

resulted in the higher court reversing the decision today.
In handing down its decision, the Court of Appeals pointed out "Since more than three years elapsed between January 1, 1933, or April 20, 1933, and June 4, 1936 when the suit was begun, it is obvious that if either of the two first above dates be accepted as the time of the accrual of Cassell's cause of action, the plea of the statute (of limitations) will defeat recovery."

The Court of Appeals further stated that District Judge, during the trial in the lower court, accepted Cassell's view that his services did not terminate until April, 1934, and awarded him the verdict since the statute of limitations did not begin to run until that date. "But" the statement continued, "the evidence from Cassell's own pen shows that the services which he had been required to perform and for which he was asking compensation terminated in April, 1933."

"A careful reading of all the testimony, which we have summarized shows very clearly that the university never acknowledged the correctness of the claim or that it owed anything or that it would pay anything. The most that can be said from it all is that there were negotiations looking toward an amicable settlement. Obviously there was strong opposition in the Board of Trustees to the payment of the claim, and the only assurances, if there were any, were to the effect that Cassell would be fairly dealt with. This is not enough to bring into operation the doctrine of equitable estoppel."

WITH UNIVERSITY
From 1920 until 1933, Mr. Cassell was associated with Howard Uni-

versity in a number of different capacities. For several years he was head of the Department of Agriculture.

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Deceased Laundress Leaves \$10,500 Estate To Friends

Mitchell Says Rail Fight Is Far From Over

Haven't Fought Enough for Rights, Congressman Says

CHICAGO—(A. N. P.)—"The order of the Interstate Commerce commission, directing the Rock Island Railroad and the Pullman Co., to cease discriminating between white and Negro passengers between Memphis and Hot Springs, Ark., and which last week was declared effective as of Dec. 24, 1941, is just the first step in the battle of Negroes for fair and equitable treatment in the matter of railroad accommodations," said Congressman Arthur Mitchell here this week.

"There have been many who have tried to pick flaws in this decision but those who do so are ignorant of they expect one decision to tear down all the bonds of segregation which have been built up through the years. We must wage a never ending fight. We have the basis on which to fight in this supreme court decision which is just now at this late date being actually laid down by the Interstate Commerce commission as an actual order."

TRIED TO STALL
"The ICC tried to stall, it appeared," he continued. "I had to insist that their decision be handed down and put into actual effect. The commission apparently had sought to open the case again, having written me, the Pullman Co., and the Rock Island R. R. asking if we wished to reopen the case and give additional testimony. To

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She's Planning For Deltas



Mary Ann Clemons, one of the lovely Pyramids, who is helping Delta Sigma Theta Sorority prepare for its largest convention in the sorority's history to be held in Detroit December 26-30. This glamorous little pledgee will be at all the dances to help welcome the many guests and visitors expected.

Equal Pay Asked

By WILLIAM A. FOWLKES, Jr.
ATLANTA, Ga.—(S.N.S.)—

William H. Reeves, a teacher in the David T. Howard Junior High School, has filed a petition with Dr. W. A. Sutton, superintendent, and the Board of Education of the city of Atlanta, for equal pay of public school teachers and principals.

Contending that the Board of Education and superintendent of schools "over a long period of years have consistently pursued and maintained and are now pursuing and maintaining the policy, custom and usage of paying Negro teachers and principals in the public schools of Atlanta less salary than white teachers and principals in the said public schools system possessing the same professional qualifications, certificates and experience, exercising the same duties and performing the same services as Negro teachers and principals," Reeves' petition says that this discrimination is being practiced against Negroes solely on account of their race or color, in violation of the 14th Amendment of the United States Constitution and therefore unconstitutional.

CITE COURT RULING
The petitioner points out that Federal Courts in Maryland and Virginia have uniformly held similar practices by school boards in those states to be unconstitutional. In an excerpt from the ruling of Judge Parker of the United States Circuit Court of Appeals in the case of Alston vs. the School Board of Norfolk, the petitioner quotes the following:

"That an unconstitutional discrimination is set forth in these paragraphs, hardly admits argument. The allegation is that the state, in paying for public serv-

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Many Injured When Crack Train Wrecks



En route from Florida to Chicago, the Illinois Central railroad's fast passenger train, the "Seminole," left the rails near Corinth, Miss., resulting in the death of one passenger and injuries

to 75 others, including seven Negroes. The engine and three baggage cars remained on the track but nine cars tumbled off, down an embankment and into a field. Railroad officials said the wreck apparently was caused by a broken rail. (I.N.)

Home 'Ec' Senior



THELMA BEATTY
Miss Thelma Beatty, who hails from Jonesville, S. C., a senior at South Carolina State College, Orangeburg, is concentrating all of her time on the complicated study of home economics. A member of the Alpha Kappa Alpha sorority, she plans to teach after graduation.

Fortune Earned Washing Clothes For Coloradans

Bonds, Real Estate, Notes Revealed in Will

By ALICE B. LAMB
COLORADO SPRINGS, Colo.—(A.N.P.)—Inventory of Florence Payne Vest's will filed in county court here last Friday listed assets of approximately \$10,500 in real estate, bank account, tangible personal property, bonds and promissory notes.

Mrs. Vest, wife of Arthur Vest, died here Nov. 12 at 56 years of age.

The daughter of Mrs. Sally Payne, who died in 1935 and from whom she is reported to have inherited most of her estate, she and her mother had accumulated the modest fortune by hard work as laundresses for prominent families of the city for a number of years.

Filed by the law firm of Spurgeon, Spurgeon, and Clark, the will names S. C. Hunter, undertaker here, as executor, with the following beneficiaries: Mrs. Will Jones, \$100; Mrs. James Hines, \$100; Mrs. Alice Allen, \$100.

Mrs. Marietta Barbour was left several lots in the city and one-half of the residue of the estate; Arthur Vest, the deceased husband, the other half of the residue of the estate and some real estate property.

Jackson District Sunday School, BTU School

The Fourth Quarterly Session of the Jackson District Sunday School and BTU Training School will be held at Parish Street Baptist Church, December 8-12.

The General Theme of the Session will be Reconstructive training in Religious Education and Christian Leadership with emphasis on Pastors support.

According to Revs. L. T. Smith and F. W. Coleman, officers of the two groups, the four sessions of the Training School promises to climax all previous sessions. More than 300 persons are expected to enroll. The school is one of the best of its kind and promises to be a leader in religious education in Miss.

The faculty is made up of some of the best material in the state every instructor is a specialist in his field and can give some helpful information to all enrollees.

The Dean has given years of study to his work and is well qualified for the job. The President and other officers are ready to render kind and efficient service to all who attend.

All who desire to do church work are welcome to enroll. There are no fees.

BURGLARS VISIT BASS STREET HOME

ATLANTA, GA.—(S.N.S.)—David Woods, of 78 Bass Street, SE, was visited by a burglar that took two women's dresses and a hat valued at \$17 from the domicile.

All News Not In This Issue Will Appear NEXT WEEK!

Wilberforce Faculty Member Poison Victim

Robert Coleman Had Been Sought For Seven Weeks

LOS ANGELES—(A. N. P.)—The body of Robert Coleman, 26-year-old possessor of a Ph.D. degree and professor of mathematics and physics at Wilberforce university was finally found in a YMCA room here Saturday, a victim of poisoning.

Discovery of the body culminated a seven-week search that began on October 7, when he was reported missing from his Wilberforce

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Marilyn's Shoe Store Opens Up

Marilyn Shoe Store offering the latest in feminine footwear becomes a distinct addition to the Jackson Downtown shopping district.

With its formal opening here Friday and Saturday the store was crowded with appreciative visitors throughout both days, and during the two days many shoppers received a gift of a beautiful handbag with each pair of shoes purchased.

The store is well stocked to meet the needs of the Xmas shopping season.

Marilyn's shoe store will feature the latest styles and fabric in feminine footwear for every season and every occasion at moderate prices.

Negro Christmas Cheer Club Is Reorganized

The Jackson Negro Christmas Cheer met last night at Central Methodist Church and elected the following officers for the next year: Dr. S. D. Redmond, president; Rev. A. B. Kelling, secretary; Dr. A. H. McCoy, treasurer; Mrs. Lucile L. Price financial secretary.

Directors and investigating committee will be named next week.